

## REMARKS

Claims 1-40 were pending in the present application prior to amendment herein. In the present Amendment, claims 20 and 40 have been canceled, and new claims 41 and 42 have been added. In addition, claim 21 has been amended to clarify the language of this claim. Claims 1-19, 21-39, 41, and 42 are therefore currently pending in the present application.

Support for new claims 41 and 42 can be found, for example, in paragraphs [0050] and [0149] of the present application. No new matter has been added to this application by the foregoing amendments, with support being found in the specification, claims and figures as filed. In view of this, the Applicant respectfully requests entry of this Amendment and consideration of the present application as amended herein.

### **Rejections under 35 U.S.C. § 102(e)**

#### **Independent Claim 1**

Claims 1-40 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,566 to Levine et al. In paragraph 3 of the Office Action dated April 10, 2007, the Levine system is said to describe “a coordinator (i.e., system”) that receives a first purchase order from the buyer ... that issues a second purchase order to the seller based on the first purchase order, that receives an invoice from the seller based on the second purchase order, and that assumes title in the invoice... .” The Patent Office has thus taken the position that the “system” described in the Levine patent is the same as the “coordinator” recited in claim 1.

The system of the Levine patent comprises an online computer system for handling loan documents, as well as a number of different legal entities which interact via the computer system. A listing of the legal entities involved with this system is provided in Table 1, column 8 of the Levine patent. None of the listed entities, however, performs all of the functions of a coordinator as recited herein, namely receiving a first purchase order from a buyer, issuing a second purchase order to a seller based on the first purchase

order, receiving an invoice from the seller based on the second purchase order, and assuming title in the invoice.

The involvement of a coordinator in performing all these functions can enable transactions to occur between a buyer and seller of products or services without a letter of credit or similar financial instrument being put in place first, thereby facilitating commerce. This can be of particular value in international transactions, as described in paragraph [0216] of the present application.

In view of the foregoing, the Levine patent does not disclose a coordinator as recited in claim 1, nor does it suggest the benefits of such a coordinator in a system for transacting goods or services. The Applicant therefore respectfully requests that the rejection of claim 1 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,566 to Levine et al. be withdrawn.

With respect to the basis for the rejection of claim 1 under 35 U.S.C. §102(e), if this rejection is not withdrawn, the Applicant respectfully requests that the specific passages of the Levine patent on which the Examiner is relying, as well as their relevance, be recited with more specificity, in order to afford the Applicant the opportunity to respond to the Examiner's concerns. The citation given in this rejection (column 5 lines 55-67; column 6, lines 1-22; and columns 7-10, lines 1-67) spans six columns of text, and the Applicant respectfully submits that such a citation does not comply with the requirements of 37 CFR §1.104, in particular the requirement that "the particular part [of a reference] relied on must be designated as nearly as practicable."

#### Independent Claim 21

With regard to independent claim 21, the Levine patent is similarly said to describe "a method for a coordinator to provide a sales transaction of goods or services between a buyer and a seller." In support of this contention, the Examiner has cited the same passages cited in connection with the rejection of claim 1, namely column 5 lines 55-67; column 6, lines 1-22; and columns 7-10, lines 1-67.

The method of claim 21 involves a coordinator for receiving a first purchase order from a buyer, transmitting a second purchase order to a seller based on the first purchase

order, receiving an invoice from the seller based on the second purchase order, and assuming title in the invoice. As stated above, the coordinator is a single legal entity which facilitates commerce by enabling transactions to occur between a buyer and seller without a letter of credit or similar financial instrument being put in place first, and the involvement of such a coordinator is a particular advantage in international transactions. The Levine reference does not disclose a coordinator as recited in claim 21 or suggest the advantages of such a coordinator.

In view of the foregoing, the Applicant respectfully requests that the rejection of claim 21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,566 to Levine et al. be withdrawn. In the event that the rejection of claim 21 under 35 U.S.C. §102(e) is not withdrawn, the Applicant respectfully requests that the specific passages of the Levine patent which are relied on by the Examiner and their relevance to claim 21 be recited with more specificity. In the Office Action dated April 10, 2007, all of the steps of claim 21 are said to be disclosed somewhere within the six columns of text encompassing column 5 lines 55-67; column 6, lines 1-22; and columns 7-10, lines 1-67. For the reasons given above, the Applicant respectfully submits that such a citation does not comply with the requirements of 37 CFR §1.104.

#### Dependent claims 2-20 and 22-40

Claims 2-20 and 22-40, as well as new claims 41 and 42, depend directly or indirectly from claim 1 or claim 21. In addition to containing further patentable features, these claims are patentable over the Levine patent for the reasons given above. In view of this, the Applicant respectfully requests that the rejection of claims 2-20 and 22-40 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,566 to Levine also be withdrawn.

The Applicant notes that the same 6 columns of text (column 5 lines 55-67; column 6, lines 1-22; and columns 7-10, lines 1-67) are cited in support of the rejection of each of the dependent claims. For the reasons given above, the Applicant respectfully submits that this citation does not comply with the requirements of 37 CFR §1.104. In the event that the rejection of claims 2-20 and 22-40 under 35 U.S.C. §102(e) is not

withdrawn, the Applicant respectfully requests that the specific passages of the Levine patent which are relied on by the Examiner, and their relevance, be recited with more specificity in order to afford the Applicant the opportunity to respond.

### **Conclusion**

The Applicant believes that all pending claims, claims 1-19, 21-39, 41, and 42, are in condition for allowance, and a Notice of Allowance is respectfully requested. If, however, there remain any issues which can be addressed by telephone, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Please charge any fees due in connection with this Amendment or credit any overpayment to Deposit Account No. 19-2090.

Respectfully submitted,

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